

DAVID LOPEZ

ATTORNEY AT LAW

171 EDGE OF WOODS ROAD  
SOUTHAMPTON, NEW YORK 11968

MAILING ADDRESS:  
P.O. BOX 323  
SOUTHAMPTON, NEW YORK 11969-0323

TELEPHONE (631) 287-5520  
FACSIMILE (631) 283-4735  
E-MAIL DAVIDLOPEZESQ@AOL.COM

May 30, 2024

Hon, Denise L. Cote  
Judge, U.S. District Court, S.D.N.Y.  
500 Pearl Street  
New York, New York 10007

Re: *Avalon Holdings Corp. v. Gentile, et ano.*, 18-cv-7291 (DLC) (RWL)  
*New Concept Energy, Inc. v. Gentile, et ano.*, 18-cv-8896 (DLC) (RWL)

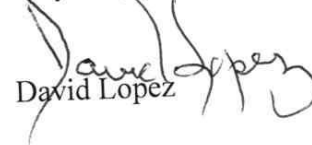
Your Honor:

We respond to the letter to you of Thomas J. Fleming of May 29, 2024, in which he states he has been unable to to speak to Mr. Gentile and does not seek any further extension of the deadline for the court to designate an address for service. This is a misstatement, I believe, of the task before the court which is to designate a means of service of papers on Mr. Gentile, not just an address.

Mr. Fleming and the Olshan firm continue as attorneys of record for Mr. Gentile under a general appearance and so we, on behalf of the plaintiffs and judgment creditors, propose that unless and until an alternative is ordered, service on Mr. Gentile's attorneys continue to be deemed valid service upon him.

We emphasize that Mr. Fleming and the Olshan firm continue not only as attorneys of record in these cases in this court but also as attorneys of record in Mr. Gentile's appeals of these cases in the Second Circuit. Mr. Gentile, through counsel of record, is asking for a customized change in the rules concerning service so that only those papers he chooses to receive may be treated as served. We oppose.

Very truly yours,

  
David Lopez

Cc: All counsel of record via ECF

DL/el